

document that the significant guidance document replaces;

(VI) provide the title of the document and a document identification number; and

(VII) include the citation to the statutory provision or regulation (in Code of Federal Regulations format) which the significant guidance document applies to or interprets; and

(ii) shall not include mandatory terms such as “shall”, “must”, “required”, or “requirement” unless—

(I) the agency is using those terms to describe a statutory or regulatory requirement; or

(II) the terminology is addressed to agency staff and will not foreclose agency consideration of positions advanced by affected private parties.

(2) PUBLIC ACCESS AND FEEDBACK FOR SIGNIFICANT GUIDANCE DOCUMENTS.—

(A) INTERNET ACCESS.—

(i) IN GENERAL.—Each agency shall—

(I) maintain on the website for the agency, or as a link on the website of the agency to the electronic list posted on a website of a component of the agency a list of the significant guidance documents in effect of the agency, including a link to the text of each significant guidance document that is in effect; and

(II) not later than 30 days after the date on which a significant guidance document is issued, update the list described in clause (i).

(ii) LIST REQUIREMENTS.—The list described in subparagraph (A)(i) shall—

(I) include the name of each—

(aa) significant guidance document; (bb) document identification number; and (cc) issuance and revision dates; and

(II) identify significant guidance documents that have been added, revised, or withdrawn in the preceding year.

(B) PUBLIC FEEDBACK.—

(i) IN GENERAL.—Each agency shall establish and clearly advertise on the website for the agency a means for the public to electronically submit—

(I) comments on significant guidance documents; and

(II) a request for issuance, reconsideration, modification, or rescission of significant guidance documents.

(ii) AGENCY RESPONSE.—Any comments or requests submitted under subparagraph (A)—

(I) are for the benefit of the agency; and

(II) shall not require a formal response from the agency.

(iii) OFFICE FOR PUBLIC COMMENTS.—

(I) IN GENERAL.—Each agency shall designate an office to receive and address complaints from the public relating to—

(aa) the failure of the agency to follow the procedures described in this section; or

(bb) the improper treatment of a significant guidance document as a binding requirement.

(II) WEBSITE.—The agency shall provide, on the website of the agency, the name and contact information for the office designated under clause (i).

(3) NOTICE AND PUBLIC COMMENT FOR ECONOMICALLY SIGNIFICANT GUIDANCE DOCUMENTS.—

(A) IN GENERAL.—Except as provided in paragraph (2), in preparing a draft of an economically significant guidance document, and before issuance of the final significant guidance document, each agency shall—

(i) publish a notice in the Federal Register announcing that the draft document is available;

(ii) post the draft document on the Internet and make a tangible copy of that document publicly available (or notify the public how the public can review the guidance document if the document is not in a format that

permits such electronic posting with reasonable efforts);

(iii) invite public comment on the draft document; and

(iv) prepare and post on the website of the agency a document with responses of the agency to public comments.

(B) EXCEPTIONS.—In consultation with the Administrator, an agency head may identify a particular economically significant guidance document or category of such documents for which the procedures of this subsection are not feasible or appropriate.

(4) EMERGENCIES.—

(A) IN GENERAL.—In emergency situations or when an agency is obligated by law to act more quickly than normal review procedures allow, the agency shall notify the Administrator as soon as possible and, to the extent practicable, comply with this subsection.

(B) SIGNIFICANT GUIDANCE DOCUMENTS SUBJECT TO STATUTORY OR COURT-IMPOSED DEADLINE.—For a significant guidance document that is governed by a statutory or court-imposed deadline, the agency shall, to the extent practicable, schedule the proceedings of the agency to permit sufficient time to comply with this subsection.

(5) EFFECTIVE DATE.—This section shall take effect 60 days after the date of enactment of this Act.

## NOTICE OF HEARING

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 7, 2011, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review Department of Energy biofuel programs and biofuel infrastructure issues, and to consider S. 187, the Biofuels Market Expansion Act of 2011.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to [Amanda\\_Kelly@energy.senate.gov](mailto:Amanda_Kelly@energy.senate.gov).

For further information, please contact Tara Billingsley (majority) at (202) 224-4756, Amanda Kelly (majority) at (202) 224-6836, or Brian Hughes (minority) at (202) 224-7555.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on March 31, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ARMED SERVICES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Com-

mittee on Armed Services be authorized to meet during the session of the Senate on March 31, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ARMED SERVICES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 31, 2011, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 31, 2011, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 31, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled “APEC 2011: Breaking Down Barriers, Creating Economic Growth.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 31, 2011, at 2 p.m., to hold a hearing entitled “Assessing the Situation in Libya.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “A Tragic Anniversary: Improving Safety at Dangerous Mines One Year After Upper Big Branch” on March 31, 2011, at 10 a.m., in 430 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 31, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March

31, 2011, at 10 a.m. to conduct a hearing entitled "President's FY2012 Budget Request for the U.S. Small Business Administration and the Office of Advocacy."

The PRESIDING OFFICER. Without objection, it is so ordered.

WESTERN HEMISPHERE, PEACE CORPS, AND  
GLOBAL NARCOTICS SUBCOMMITTEE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 31, 2011, at 10 a.m., to hold a Western Hemisphere, Peace Corps, and Global Narcotics subcommittee hearing entitled, "A Shared Responsibility: Counternarcotics and Citizen Security in the Americas."

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY  
AND INTERGOVERNMENTAL AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 31, 2011, at 10 a.m. to conduct a hearing entitled, "Exploring Drug Gangs' Ever-Evolving Tactics to Penetrate the Border and the Federal Government's Ability to Stop Them."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 31, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Transportation and Infrastructure of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 31, 2011, at 2:30 p.m. in Dirksen 406.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT  
AGREEMENT—H.R. 4

Mr. REID. Mr. President, I ask unanimous consent that at 11 a.m. on Tuesday, April 5, the Senate proceed to the immediate consideration of Calendar No. 16, H.R. 4; that the only amendment in order to the bill be an amendment to be offered by Senator MENENDEZ; that there be up to 60 minutes of debate equally divided between the two leaders or their designees, prior to a vote in relation to the Menendez amendment; that the amendment not be divisible and no amendments be in order to the amendment prior to the vote; that upon disposition of the amendment, the bill be read a third

time and the Senate proceed to a vote on passage of the bill, as amended, if amended; that the amendment and the bill be subject to a 60-vote threshold; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREE-  
MENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, April 4, 2011, at 4:30 p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 42; that there be 1 hour for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote, with no intervening action or debate, on Calendar No. 42; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 120, S. Res. 121, S. Res. 122, and S. Res. 123.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senate will proceed to the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate; and that any statements relating to these resolutions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, are as follows:

S. RES. 120

Recognizing the 1 year anniversary of the April 2, 2010, fire and explosion at the Tesoro refinery in Anacortes, Washington.

Whereas the State of Washington, the community of Anacortes, the Tesoro Refining and Marketing Company, and the United Steelworkers experienced a tragedy on April 2, 2010, when a fire occurred at the Tesoro refinery in Anacortes, Washington;

Whereas 7 workers died as a result of the tragedy: Daniel J. Aldridge, Matthew C. Bowen, Donna Van Dreumel, Matt Gumbel, Darrin J. Hoines, Lew Janz, and Kathryn Powell;

Whereas the United States Chemical Safety and Hazard Investigation Board continues to investigate and review the April 2, 2010,

refinery fire, and procedures and processes to prevent future tragedies from occurring;

Whereas the Washington State Department of Labor and Industries issued a Citation and Notice of Assessment covering 44 violations of State workplace safety and health regulations at the Anacortes work site (which are being appealed); and

Whereas the fire and explosion at the Tesoro refinery is a reminder of the dangerous nature of refinery operations around the Nation: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses sincere condolences to the families, loved ones, United Steelworkers, fellow workers, and the Anacortes community concerning the tragedy at the Tesoro refinery in Anacortes, Washington;

(2) honors Daniel J. Aldridge, Matthew C. Bowen, Donna Van Dreumel, Matt Gumbel, Darrin J. Hoines, Lew Janz, and Kathryn Powell; and

(3) expresses support for the efficient and safe operation of our Nation's oil refineries.

S. RES. 121

Designating April 2011 as "Financial Literacy Month".

Whereas according to the Federal Deposit Insurance Corporation, at least 25.6 percent of households in the United States, or close to 30,000,000 households with approximately 60,000,000 adults, are unbanked or underbanked and, subsequently, have missed opportunities for savings, lending, and basic financial services;

Whereas according to the 2010 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, 34 percent of adults in the United States, or more than 77,000,000 adults living in the United States, gave themselves a grade of C, D, or F on their knowledge of personal finance;

Whereas according to the National Bankruptcy Research Center, the number of personal bankruptcy filings reached 1,500,000 in 2010, the highest number since 2005;

Whereas the 2010 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that only 16 percent of workers were "very confident" about having enough money for a comfortable retirement, a sharp decline in worker confidence from the 27 percent of workers who were "very confident" in 2007;

Whereas according to a 2010 "Flow of Funds" report by the Board of Governors of the Federal Reserve System, household debt stood at \$13,400,000,000,000 at the end of the third quarter of 2010;

Whereas according to the 2010 Retirement Confidence Survey conducted by the Employee Benefit Research Institute, less than half of workers (46 percent) in the United States have tried to calculate how much they need to save for retirement;

Whereas according to the 2010 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, 28 percent, or nearly 64,000,000 adults, admit to not paying all of their bills on time;

Whereas according to the 2010 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, 3 in 10 adults in the United States, or more than 68,000,000 individuals, report that they have no savings, and only 24 percent of adults in the United States are now saving more than they did a year ago because of the current economic climate;

Whereas according to the 2010 Consumer Financial Literacy Survey Final Report of the National Foundation for Credit Counseling, only 43 percent of adults keep close track of their spending, and more than 11,000,000 adults do not know how much they